

### REMARKS

Claims 1-61, 63-77, and 79-135 are pending. Claims 9-13, 36, 42-44, 54-56, 62, 66, 73, and 78 were previously canceled without prejudice. Claims 76-77 and 79-102 were previously withdrawn. Claims 1, 18, 19, 21, 27-29, 37-39, 45, 59-60, 74, 112, 119-120, 125-126, 128, 130, and 133-135 are amended herein. No new matter has been added.

### 35 U.S.C. § 102(e) REJECTIONS

Claims 1, 3, 5-6, 19-34, 37-39, 104-105, 112, 118-120, 122, 124-126, 128, and 133-135 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kitani et al., U.S. Patent. Pub. 2001/0019612.

**As regards Claims 1, 3, 5-6, 19-34, 37-39, 104-105, 120, 122, and 124-126,** the Examiner is respectfully directed to independent Claim 1, which, as amended, recites that an embodiment is directed toward:

Apparatus, comprising:

a media reader having a read element capable of being communicatively coupled to a DVD compliant with the CSS specifications and containing scrambled digital content;

a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content using a storage technique substantially different from the DVD without descrambling said scrambled digital content; and

a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS).

Independent Claims 120 and 126 recite similar limitations. Claims 3, 5-6, 19-34, 37-39, and 104-105 are dependent upon Claim 1, and recite further features of the claimed embodiment. Claims 122 and 124-125 are dependent upon Claim 120, and recite further features of the claimed embodiment.

Applicants understand Kitani to purport to describe a motion-picture distribution method, involving randomizing data corresponding to a motion picture, scrambling the randomized data and encoding it onto a number of DVDs, transporting the DVDs to a movie theater, loading the DVDs onto a server device, descrambling and serializing the data corresponding to the motion picture, scrambling the reserialized motion picture data, and sending it to a projection device, where it is descrambled and stored (*see, e.g.*, Figs. 9 and 10, and corresponding description).

Applicants respectfully submit that Kitani fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed. Specifically, Kitani fails to teach or suggest reading the scrambled digital content from the DVD, storing the scrambled digital content without descrambling, and receiving the scrambled digital content at a playback device, as claimed.

The system described in Kitani purports to operate in the following manner. Digital content is deserialized, and is spread across a plurality of disks in an encrypted form (see, e.g., Fig. 4.). This plurality of disks is inserted into a “serialization apparatus,” and all of the content of these disks is stored on a hard disk, still encrypted and deserialized (para. 95). The deserialization apparatus then decrypts the encrypted, deserialized data, resulting in deserialized data (para. 96). This deserialized data is the serialized, and the serialized data is scrambled (para. 96). Therefore, as described in Kitani, the encrypted, deserialized data stored on the DVDs is not the same as the scrambled digital content passed to the playback device; the data is decrypted, reserialized, and scrambled, before it leaves the serialization apparatus and is passed to the projector.

Accordingly, Applicants respectfully assert that Kitani fails to teach a storage element including an input disposed for receiving scrambled digital content from a media reader *and* a playback device having an input disposed for receiving the scrambled digital content, as claimed.

As Kitani fails to disclose the claimed limitations, and does not describe every limitation arranged or combined in the same way as in the claimed embodiment, Applicants respectfully submit that Kitani fails to anticipate or render obvious the embodiments of the invention recited in Claims 1, 120, and 126, and that the claimed embodiment recited in these claims overcome the rejection under 35 U.S.C. 102(e), and are in condition for allowance. Accordingly, Applicants further submit that Claims 3, 5-6, 19-34, 37-39, 104-105, 122, and 124-125 overcome the basis for rejection under 35 U.S.C. 102(b), as they are dependent on allowable base claims.

**As regards Claims 112, 118-119, 128, and 133-135**, the Examiner is respectfully directed to independent Claim 112, which, as amended, recites that an embodiment of the present invention is directed toward:

A media playback device, comprising:  
a network connection for receiving scrambled digital content from a remote media storage device, said scrambled digital content extracted from a DVD and scrambled in accordance with a content scramble system (CSS);  
a CSS descrambler, coupled to said network connection, for processing said scrambled digital content into a media stream for presentation; and  
an output, for outputting said media stream to a presentation device, wherein said media stream comprises a signal in compliance with a standard for protected signals specified by the CSS procedural specifications, and wherein said processing is performed at a time of presentation.

Independent Claims 128 and 134 recite similar limitations. Claims 118-119 are dependent upon Claim 112, and recite further features of the claimed embodiment. Claim 133 is dependent upon Claim 128, and recites further features of the claimed embodiment. Claim 135 is dependent upon Claim 134, and recites further features of the claimed embodiment.

The Examiner is respectfully further directed to the Applicants' summary of the teachings of Kitani, presented above.

Applicants respectfully contend that Kitani fails to teach or describe a media playback device, comprising a CSS descrambler for processing scrambled digital content extracted from a DVD into a media stream for presentation wherein the processing is performed at a time of presentation, as claimed. As described in Kitani, the (encrypted) serial video data is supplied to the motion picture projector by the serialization apparatus, where it is decrypted and prepared.

The “encrypted serial video data” of Kitani is not extracted from a DVD; rather, Kitani extracts “encrypted non-serial video data” from a DVD set. When the user enters a screening start instruction, the motion picture projector plays back the decrypted serial video data (*see, e.g.*, [0106]-[0107]). As such, Kitani fails to describe all elements of Claim 112 within the document, arranged or combined in the same way as in the Claim.

As Kitani fails to disclose the claimed limitations, and does not describe every limitation arranged or combined in the same way as in the claimed embodiment, Applicants respectfully submit that Kitani fails to anticipate or render obvious the embodiments of the invention recited in Claims 112, 128, and 134, and that the claimed embodiment recited in these claims overcome the rejection under 35 U.S.C. 102(e), and are in condition for allowance. Accordingly, Applicants further submit that Claims 118-119, 134, and 135 overcome the basis for rejection under 35 U.S.C. 102(b), as they are dependent on allowable base claims.

### 35 U.S.C. 103 REJECTIONS

**Claims 45-48, 50-51, 59-61, 64, 69-72, and 74** are rejected under 35 U.S.C. § 103(a) as being obvious, in view of Kitani.

The Examiner is respectfully directed to independent Claim 45, which, as amended, recites that an embodiment is directed toward:

A method of playing a DVD, including steps of  
reading the DVD including scrambled digital content representing at least  
one media stream scrambled in accordance with a content scramble system (CSS);

non-evanescently storing the scrambled digital content in a protected form using a storage mechanism different from the DVD; and  
playing back the media stream after conversion into analog, digital, or analog and digital audiovisual content for presentation,  
wherein said media stream is descrambled at a time of playback.

Claims 46-48, 50-51, 59-61, 64, 69-72, and 74 are dependent upon Claim 45, and recite further features of the claimed embodiments.

The Examiner is further respectfully directed to the discussion above of Claim 112 and Kitani. Applicants respectfully repeat those arguments here, and assert that Kitani fails to teach or suggest a method of playing a DVD, wherein a media stream is non-evanescently stored, and descrambled at a time of playback, as claimed.

The rejection asserts that conversion into analog, digital or analog and digital audiovisual content for presentation is well-known in the art. Applicants concur. However, this knowledge is insufficient to correct the defect in Kitani.

Applicants respectfully submit that Kitani, alone or in combination with knowledge of the art, fails to anticipate or render obvious the embodiments of the invention recited in Claim 45, and that the claimed embodiment recited in this claim overcomes the rejection under 35 U.S.C. 103(a), and is in condition for allowance. Accordingly, Applicants further submit that Claims 46-48, 50-51, 59-61, 64, 69-72, and 74 overcome the basis for rejection under 35 U.S.C. 103(a), as they are dependent on an allowable base claim.

**Claim 2** is rejected under 35 U.S.C. § 103(a) as being obvious in view of Kitani, further in view of Ciacelli et al., U.S. Patent No. 6,236,727.

The Examiner is respectfully directed to independent Claim 1, reproduced above. Claim 2 is dependent on Claim 1, and recites further features of the claimed embodiment.

As discussed above, Applicants respectfully contend that Kitani fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed. Ciacelli fails to remedy this defect in Kitani, as Ciacelli similarly fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed.

Accordingly, Applicants respectfully submit that Kitani, alone or in combination with Ciacelli, fails to anticipate or render obvious the embodiments of the invention recited in Claim 2, and that the claimed embodiment recited in this claim overcomes the rejection under 35 U.S.C. 103(a), and is in condition for allowance.

Claims 4, 7-8, 33, 35, 40-41, 52-53, 63, 67-68, 75, 109, 121, 123, and 127 are rejected under 35 U.S.C. § 103(a) as being obvious in view of Kitani, further in view of Wehrenberg.

**As regards claims 4, 7-8, 33, 35, 40-41, 109, 121, 123, and 127,** the Examiner is respectfully directed to independent Claim 1, reproduced above. Independent Claims 120 and 126 recite similar limitations. Claims 4, 7-8, 33, 35, 40-41, and 109 are dependent on Claim 1, and recite further features of the claimed embodiment. Claims 121 and 123 are dependent on Claim 120, and recite further features of the claimed embodiment. Claim 127 is dependent on Claim 126, and recites further features of the claimed embodiment.

As discussed above, Applicants respectfully submit that Kitani fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content



scramble system (CSS), as claimed. Wehrenberg fails to remedy this defect in Kitani, as Wehrenberg similarly fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed.

Accordingly, Applicants respectfully submit that Kitani, alone or in combination with Wehrenberg, fails to anticipate or render obvious the embodiments of the invention recited in these claims, and that the claimed embodiments recited in these claims overcome the rejection under 35 U.S.C. 103(a), and are in condition for allowance.

**As regards claims 49, 52-53, 65, 67-68, and 75,** the Examiner is respectfully directed to independent Claim 45, reproduced above. Claims 49, 52-53, 65, 67-68, and 75 are dependent on Claim 45, and recite further features of the claimed embodiment.

As discussed above, Applicants respectfully submit that Kitani fails to teach or suggest a method of playing a DVD, wherein a media stream is non-evanescently stored, and descrambled at a time of playback, as claimed. Wehrenberg fails to remedy this defect in Kitani, as Wehrenberg similarly fails to teach or suggest a method of playing a DVD, wherein a media

stream is non-evanescently stored, and descrambled at a time of playback, as claimed.

Accordingly, Applicants respectfully submit that Kitani, alone or in combination with Wehrenberg, fails to anticipate or render obvious the embodiments of the invention recited in these claims, and that the claimed embodiments recited in these claims overcome the rejection under 35 U.S.C. 103(a), and are in condition for allowance.

**Claims 14 and 15** are rejected under 35 U.S.C. § 103(a) as being obvious over Kitani, in view of Akiba et al., U.S. Patent No. 6,353,540, further in view of Ichinol et al., U.S. Patent Pub. 2001/0014946.

The Examiner is respectfully directed to independent Claim 1, reproduced above. Claims 14 and 15 are dependent on Claim 1, and recite further features of the claimed embodiment.

As discussed above, Applicants respectfully contend that Kitani fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed. Akiba fails to remedy this defect in Kitani, as Akiba

similarly fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed. Similarly, Ichinol fails to remedy this defect in Kitani, as Ichinol also fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed.

Accordingly, Applicants respectfully submit that Kitani, alone or in combination with Akiba or Ichinol, fails to anticipate or render obvious the embodiments of the invention recited in Claims 14 and 15, and that the embodiments recited in these claims overcome the rejection under 35 U.S.C. 103(a), and are in condition for allowance.

Claims 16-17, 57, 113, and 129 are rejected under 35 U.S.C. § 103(a) as being obvious

over Kitani, in view of Chan et al., U.S. Patent Pub. 2004/0001704.

**As regards Claims 16-17 and 129**, the Examiner is respectfully directed to independent Claim 1, reproduced above. Independent Claim 120 recites similar limitations. Claims 16 and 17 are dependent on Claim 1, and recite further features of the claimed embodiment. Claim 129 is dependent on Claim 1, and recites further features of the claimed embodiment.

As discussed above, Applicants respectfully contend that Kitani fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed. Chan fails to remedy this defect in Kitani, as Chan similarly fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed.

Accordingly, Applicants respectfully submit that Kitani, alone or in combination with Chan, fails to anticipate or render obvious the embodiments of the invention recited in Claims 16, 17, and 129, and that the embodiments recited in these claims overcome the rejection under 35 U.S.C. 103(a), and are in condition for allowance.

**As regards Claims 57 and 113**, the Examiner is respectfully directed to independent Claim 45, reproduced above. Independent Claim 112 recites similar limitations. Claim 57 is dependent on Claim 45, and recites further features of the claimed embodiment. Claim 113 is dependent on Claim 112, and recites further features of the claimed embodiment.

As discussed above, Applicants respectfully submit that Kitani fails to teach or suggest a method of playing a DVD, wherein a media stream is non-evanescently stored, and descrambled at a time of playback, as claimed. Chan fails to remedy this defect in Kitani, as Chan similarly fails to teach or suggest a method of playing a DVD, wherein a media stream is non-evanescently stored, and descrambled at a time of playback, as claimed.

Accordingly, Applicants respectfully submit that Kitani, alone or in combination with Chan, fails to anticipate or render obvious the embodiments of the invention recited in these claims, and that the claimed embodiments recited in these claims overcome the rejection under 35 U.S.C. 103(a), and are in condition for allowance.

Claims 18, 58, 114, and 130 are rejected under 35 U.S.C. § 103(a) as being obvious over Kitani, in view of Chan et al., U.S. Patent Pub. 2004/0001704, further in view of Hughes, Jr. et al., U. S. Patent. Pub. 2004/0033061.

**As regards Claim 18**, the Examiner is respectfully directed to independent Claim 1, reproduced above. Claim 18 is dependent on Claim 1, and recites further features of the claimed embodiment.

As discussed above, Applicants respectfully contend that Kitani and Chan fail to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed. Hughes fails to remedy this defect in Kitani, as Hughes similarly fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content

at the input scrambled in accordance with a content scramble system (CSS), as claimed.

Accordingly, Applicants respectfully submit that Kitani, alone or in combination with Chan and Hughes, fails to anticipate or render obvious the embodiments of the invention recited in Claim 18, and that the embodiments recited in this claim overcome the rejection under 35 U.S.C. 103(a), and are in condition for allowance.

**As regards Claims 58, 114, and 130**, the Examiner is respectfully directed to independent Claim 45, reproduced above. Independent Claims 112 and 128 recite similar limitations. Claim 58 is dependent on Claim 45, and recites further features of the claimed embodiment. Claim 114 is dependent on Claim 112, and recites further features of the claimed embodiment. Claim 130 is dependent on Claim 128, and recites further features of the claimed embodiment.

As discussed above, Applicants respectfully submit that Kitani and Chan fail to teach or suggest a method of playing a DVD, wherein a media stream is non-evanescently stored, and descrambled at a time of playback, as claimed. Hughes fails to remedy this defect in Kitani, as Hughes similarly fails to teach or suggest a method of playing a DVD, wherein a media stream is non-evanescently stored, and descrambled at a time of playback, as claimed.

Accordingly, Applicants respectfully submit that Kitani, alone or in combination with Chan and Hughes, fails to anticipate or render obvious the embodiments of the invention recited

in these claims, and that the claimed embodiments recited in these claims overcome the rejection under 35 U.S.C. 103(a), and are in condition for allowance.

**Claim 103** is rejected under 35 U.S.C. § 103(a) as being obvious over Kitani, in view of Shillo, U.S. Patent Pub. 2003/0110263.

The Examiner is respectfully directed to independent Claim 1, reproduced above. Claim 103 is dependent on Claim 1, and recites further features of the claimed embodiment.

As discussed above, Applicants respectfully contend that Kitani fail to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed. Shillo fails to remedy this defect in Kitani, as Hughes similarly fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a



media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed.

Accordingly, Applicants respectfully submit that Kitani, alone or in combination with Shillo, fails to anticipate or render obvious the embodiments of the invention recited in Claim 103, and that the embodiments recited in this claim overcome the rejection under 35 U.S.C. 103(a), and are in condition for allowance.

Claims 106-108, 110-111, 115-117, and 131-132 are rejected under 35 U.S.C. § 103(a) as being obvious over Kitani, in view of Porter et al., U.S. Patent Pub. 2003/0226029.

**As regards Claims 106-108 and 110-111**, the Examiner is respectfully directed to independent Claim 1, reproduced above. Claims 106-108 and 110-111 are dependent on Claim 1, and recite further features of the claimed embodiment.

As discussed above, Applicants respectfully contend that Kitani fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content

scramble system (CSS), as claimed. Porter fails to remedy this defect in Kitani, as Porter similarly fails to teach or suggest a storage element including an input disposed for receiving the scrambled digital content from the media reader, the storage element configured to non-evanescently store the scrambled digital content without descrambling said scrambled digital content, and a playback device coupled to the storage element, the playback device having an input disposed for receiving the scrambled digital content and an output configured to output a media stream derived from the scrambled digital content, the scrambled digital content at the input scrambled in accordance with a content scramble system (CSS), as claimed.

Accordingly, Applicants respectfully submit that Kitani, alone or in combination with Porter, fails to anticipate or render obvious the embodiments of the invention recited in Claim 18, and that the embodiments recited in this claim overcome the rejection under 35 U.S.C. 103(a), and are in condition for allowance.

**As regards Claims 115-117, and 131-132**, the Examiner is respectfully directed to independent Claim 45, reproduced above. Independent Claims 112 and 128 recite similar limitations. Claims 115-117 are dependent on Claim 112, and recite further features of the claimed embodiment. Claims 131-132 are dependent on Claim 128, and recite further features of the claimed embodiment.

As discussed above, Applicants respectfully submit that Kitani fail to teach or suggest a media playback device, comprising a CSS descrambler for processing scrambled digital content

extracted from a DVD into a media stream for presentation wherein the processing is performed at a time of presentation, as claimed. Porter fails to remedy this defect in Kitani, as Porter similarly fails to teach or suggest a media playback device, comprising a CSS descrambler for processing scrambled digital content extracted from a DVD into a media stream for presentation wherein the processing is performed at a time of presentation, as claimed.

Accordingly, Applicants respectfully submit that Kitani, alone or in combination with Porter, fails to anticipate or render obvious the embodiments of the invention recited in these claims, and that the claimed embodiments recited in these claims overcome the rejection under 35 U.S.C. 103(a), and are in condition for allowance.

### Conclusion

In light of the above-listed amendments and remarks, Applicants respectfully request allowance of the remaining Claims.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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